

SENATE BILL 3139

By Ketron

AN ACT to amend Tennessee Code Annotated, Title 57,
relative to the sales of wine by certain retail food
stores.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 57, Chapter 3, Part 2, is amended by
adding the following language as a new, appropriately designated section:

57-3-2__.

(a) Notwithstanding any other law to the contrary, an additional class of licenses allowing the sale of wine at retail food stores is created. These licenses shall be known as "wine at food store licenses" and shall be issued by the alcoholic beverage commission; provided that licenses shall only be issued to a retail food store located in a county or municipality that has authorized the sale of alcoholic beverages by local option election. Sections 57-3-204(b) (3) and (4) and 57-3-404(e)(1) and (f) shall not apply to licenses issued pursuant to this section provided that any individual applicant applying for a license is twenty-one (21) years of age or older and has not been convicted of a felony subject to § 57-3-210(c); and provided further the commission may issue such a license to a corporation, limited liability company or partnership doing business in this state. The annual license fee paid by a retailer licensed under this part shall apply to the wine at food store license.

(b) For purposes of this section "food store" means a grocery store, shop, supermarket, warehouse-type seller, club, outlet, or other seller, which sells at retail food for consumption off the seller's premises either alone or in combination with grocery items or other nondurable items typically found in a grocery store, provided such items are sold to individuals for their own personal, family, or household use; and provided

further, that such food store must carry fresh or processed meat, poultry, dairy products, eggs, fresh fruit and produce, baked goods and baking ingredients, canned goods and dessert items.

(c) Laws applicable to the issuance, renewal, suspension, and termination of retailer's licenses issued pursuant to this part and the regulation of and operation by such license holders shall apply in the same manner to wine at food store licenses and license holders.

SECTION 2. Tennessee Code Annotated, Section 57-3-404(b), is amended by deleting the language "a licensed retailer," and by substituting instead "a licensed retailer or retail food store licensed to sell wine pursuant to Section 1 of this act,".

SECTION 3. Tennessee Code Annotated, Title 57, Chapter 1, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section 57-1-1___. As used in §§ 57-1-110, 57-3-204(c), 57-3-304, 57-3-406 (b)-(h), and 57-4-302, the term "licensed retailer" or "retailer" shall be construed to include and apply to retail food stores which have been issued a wine at food store license.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.